

ENTERED

March 25, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****UNITED STATES OF AMERICA, ex rel.
CHRISTOPHER FREY, *et al.*,***Plaintiff/Relator,***VS.****HEALTH MANAGEMENT SYSTEMS,
INC., *et al.*,***Defendants.*§
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§**CIVIL ACTION NO. 4:21-CV-2024****ORDER ADOPTING REPORT AND RECOMMENDATION**

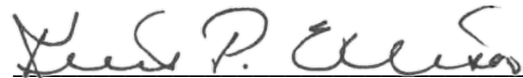
Before the Court are Defendant Cotiviti, Inc.'s Application for Payment of Attorneys' Fees, ECF No. 99, Defendant CGI Federal Inc.'s Petition for Attorneys' Fees, ECF No. 100, and Defendant Health Management Systems Inc.'s Application for Attorneys' Fees, ECF No. 101. On November 9, 2023, the Court found that Defendants were entitled to attorneys' fees. ECF No. 95 (adopting ECF No. 90). On May 23, 2024, United States Magistrate Judge Dena Hanovice Palermo issued a Report and Recommendation ("R&R") on the motions for payment of attorneys' fees, recommending that all three motions be granted. ECF No. 111. Judge Palermo recommended that Cotiviti, Inc. be awarded \$165,566.25 in attorneys' fees, CGI Federal Inc. be awarded \$146,259.40 in attorneys' fees and \$5,372.47 in expenses, and Health Management Systems Inc. be awarded \$162,458.10 in attorneys' fees. *Id.* After providing Relator Christopher Frey with opportunities to argue for a reduction of the total fee award to \$5,000 or less, Judge Palermo issued a Supplement to Report and Recommendation ("Supplement"), denying Relator's request for a reduction and affirming the recommendation that all three motions be granted and fees awarded in the amounts listed in the previous R&R. ECF No. 145. Relator filed Objections to the Supplement, ECF No.

147, and Defendants filed a Joint Response, ECF No. 155.

As required by 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of the portions of the Supplement to which Relator Frey objected. However, the Court agrees with the conclusions, and the reasoning, of the Supplement. Accordingly, the Court hereby **ADOPTS** the Supplement to the Report and Recommendation, ECF No. 145, and **GRANTS** Defendant Cotiviti, Inc.'s Application for Payment of Attorneys' Fees, ECF No. 99, Defendant CGI Federal Inc.'s Petition for Attorneys' Fees, ECF No. 100, and Defendant Health Management Systems Inc.'s Application for Attorneys' Fees, ECF No. 101. The Court awards fees as follows: Cotiviti, Inc. is awarded \$165,566.25 in attorneys' fees, CGI Federal Inc. is awarded \$146,259.40 in attorneys' fees and \$5,372.47 in expenses, and Health Management Systems Inc. is awarded \$162,458.10 in attorneys' fees, for a total of \$479,656.22.

IT IS SO ORDERED.

SIGNED at Houston, Texas on this the 24th day of March, 2025.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE